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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,004	09/11/2003	Marc Van Moeseke	DECLE68.001AUS	7482
20995	7590	08/23/2006		
			EXAMINER	
			PIZALI, ANDREW T	
			ART UNIT	PAPER NUMBER
			1771	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/661,004	9/11/2003	Marc Van Moeske	DECLE68.001AUS
EXAMINER Andrew Piziali			
ART UNIT	PAPER	1771 20060818	

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Commissioner for Patents

Current claims 1, 3-14 and 16-20 are directed to a species that is independent or distinct from the invention originally claimed for the following reason: The species originally claimed was drawn to a cut-resistant composite comprising a fabric wherein the reinforcement elements have an indirect connection created by a stitching or knitting yarn. Current claims 1, 3-14 and 16-20 are drawn to a cut-resistant composite comprising a laid fabric. The current specification defines a laid fabric as a fabric wherein the reinforcement elements are kept together by chemical or mechanical means rather than kept together by a stitching or knitting yarn (see page 12, lines 1-5 of the current specification). Therefore, the species are mutually exclusive.

Since applicant has received an action on the merits for the originally presented species, this species has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 1, 3-14 and 16-20 are withdrawn from consideration as being directed to a non-elected species. See 37 CFR 1.142(b) and MPEP § 821.03.

The amendment filed on 7/5/2006 canceling claims drawn to the elected invention and presenting only claims drawn to a non-elected species is non-responsive (MPEP § 821.03).

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Aug 18/06

ANDREW T. PIZIALI
PATENT EXAMINER